

Petition of Cambridge Electric Light Company and  
requesting approvals pursuant to G.L. c. 164, secs.  
1A, 1G, 74, 76, 94 and 94A.

Western Massachusetts Electric Company (“WMECO”) hereby submits its petition to the Department of Telecommunications and Energy (“Department”) to intervene as a full party in the above-captioned proceeding, pursuant to 220 CMR 1.03(1)(e). The Company states the following in support of its petition:

2. WMECO provides electricity service to approximately 200,000 customers in 59 cities and towns in Massachusetts.

4. On November 2, 2001, Cambridge Electric Light Company (“Cambridge”) filed with the Department a petition for approval of a 2001 Amendatory Agreement between Cambridge and Vermont Yankee Nuclear Power Corporation (“Vermont Yankee”). This petition was docketed as D.T.E. 01-94.

The approval sought by Cambridge is associated with the sale by Vermont Yankee of its nuclear power station in Vernon, Vermont ("Station").

5. On December 12, 2001, the Department issued a Notice of Filing and Public Hearing with respect to Cambridge's petition. The notice required all parties wishing to intervene in D.T.E. 01-94 to submit petitions to this effect to the Department by January 7, 2002.

6. Cambridge stated in its petition that it and Vermont Yankee have existing power entitlement obligations consisting of: a power contract dated February 1, 1968, as amended; and an additional contract dated February 1, 1984 (together the "Power Contract"). Under the Power Contract, Cambridge is obligated to take 2.5 percent of the output of the Station and pay the same percentage of the Station's operating and maintenance expenses and capital costs for a term through March 21, 2012.

7. WMECO has existing power contracts with Vermont Yankee virtually identical in all relevant respects to the Power Contract between Cambridge and Vermont Yankee. For example, WMECO is currently obligated to take 2.5 percent of the output of the Station and pay the same percentage of the Station's operating and maintenance expenses and capital costs for a term through March 21, 2012.

8. On November 19, 2001, WMECO filed with the Department a petition for approval of the terms of a 2001 Amendatory Agreement virtually identical to that 2001 Amendatory Agreement filed by Cambridge in D.T.E. 01-94. The Department docketed WMECO's petition as D.T.E. 01-99.

9. In order for WMECO's 2001 Amendatory Agreement to be consummated and the underlying sale of the Station take place, a number of regulatory approvals must be obtained. WMECO's petition in D.T.E. 01-99 must be approved as must Cambridge's petition in D.T.E. 01-94.

10. In conducting adjudicatory hearings, the Department may "allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding, and allow any other interested person to participate by presentation of argument orally or in writing, or for any other limited purpose" as the Department may order. See G.L. c. 30A, § 10, cl. (4); *see, also*, 220 CMR 1.03(1)(b).

11. WMECO has a substantial and specific interest in intervening in these proceedings because it is adjudicating similar or identical issues before the Department in D.T.E. 01-99 and, thus, the Department's determinations of the Cambridge proceeding will have a direct bearing on WMECO. In addition, WMECO has a direct interest in the approval of the Cambridge proceeding itself because the WMECO's 2001 Amendatory Agreement and the underlying sale of the Station will come to fruition only if Cambridge's and other relevant regulatory approvals are obtained. Accordingly, any decision by the Department in this proceeding will substantially and significantly affect WMECO.

12. WMECO has a significant interest in the outcome of this proceeding and wishes to protect its interests and the interests of its customers by participating herein. No other party can adequately represent WMECO in this proceeding.

13. Department precedent supports the participation of regulated utilities in regulatory proceedings of other utilities when important policy matters of significant precedential value are under review. *Massachusetts Electric Company*, D.T.E. 98-69 (review of alternative streetlighting tariff); *Boston Edison Company*, D.T.E. 97-86 (sale of electric generating plants); *Massachusetts Electric Company*, D.P.U. 96-25 (review of electric restructuring settlement); *Boston Gas Company*, D.P.U. 96-50 (review of performance-based ratemaking proposals); *Cambridge Electric Light Company/Commonwealth Electric Company*, D.P.U. 91-234-A (integrated resource management); *NYNEX*, D.P.U. 94-50 (alternative regulation/performance-based regulation plan).

14. WMECO may have information that will aid the Department in its evaluation of Cambridge's petition.

15. Given the above, WMECO is "substantially and specifically affected" by this proceeding as set forth in the General Laws and the Department's regulations.

16. If granted intervenor status, WMECO seeks all the rights of a full party, including the right to file discovery, question witnesses, present testimony and submit briefs. However, WMECO will make every effort not to burden administratively this proceeding.

17. WMECO requests that all notices, testimony, pleadings and correspondence pertaining to these proceedings be directed to the persons identified below:

Stephen Klionsky, Esq.  
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260 Franklin Street, 21<sup>st</sup> Floor

Boston, MA 02110

**WHEREFORE**, WMECO respectfully requests that the Department allow its petition for intervention in this proceeding.

Respectfully submitted,

WESTERN MASSACHUSETTS  
ELECTRIC COMPANY

By its attorney,

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